

CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: [WWW.DPR.DELAWARE.GOV](http://WWW.DPR.DELAWARE.GOV)

**PUBLIC MEETING MINUTES:      RESPIRATORY CARE PRACTICE ADVISORY COUNCIL  
OF THE BOARD OF MEDICAL LICENSURE AND  
DISCIPLINE**

**MEETING DATE AND TIME:      Wednesday, July 10, 2013 at 3:00 p.m.**

**PLACE:**      861 Silver Lake Boulevard  
Second Floor Conference Room B, Cannon Building  
Dover, Delaware

**MINUTES APPROVED (September 11, 2013)**

**MEMBERS PRESENT**

Teresa Q. Thompson, Council Member, Chairperson, Presiding  
Thomas Blackson, Council Member, Vice Chairperson  
Juanita Bernard, Council Member  
Joel M. Brown II, Council Member  
Christina Cipolla, Council Member  
Joseph M. Parise, D.O., Physician Council Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Jennifer Singh, Deputy Attorney General  
Jessica Williams, Administrative Specialist II

**MEMBER ABSENT:**

Karen Bartuski, Council Member

**ALSO PRESENT:**

Donald Cardona  
Vera Sitze, Court Reporter  
Patricia Trush  
Kelli Williams

**CALL TO ORDER**

Ms. Thompson called the meeting to order at 3:00 p.m.

**REVIEW OF MINUTES**

The council reviewed the June 12, 2013 minutes for approval. Mr. Brown moved, seconded by Mr. Blackson, to approve the minutes as written. Motion passed unanimously.

**UNFINISHED BUSINESS**

## **UNFINISHED BUSINESS**

### **Rule to Show Cause Hearings Scheduled for Patricia Trush, Kelli Williams, Donald Cardona, Dawn Smith and Patricia Cannon (3:00 p.m.)**

#### **Patricia Trush**

At 3:07 p.m., Ms. Trush was present for her hearing. The Council's Exhibit 1 was marked as evidence. The council members introduced themselves for the record. Ms. Trush was sworn in and provided testimony. Verbatim testimony was taken by the court reporter. Ms. Trush answered questions from the council and gave a closing statement. The council went off the record at 3:20 p.m. to hold its deliberations. The council went back on the record at 3:28 p.m. Mr. Brown moved, seconded by Ms. Bernard, that this matter was unjustified noncompliance of the rules and regulations, and issued Ms. Trush a letter of reprimand along with a \$250 monetary penalty and to accept the 10 hours of continuing education from the Philadelphia Sleep Conference to make up the deficiency. It was noted that Ms. Trush would be automatically selected for the next post-renewal audit and can not re-use the 10 makeup hours. Motion carried with Mr. Blackson recusing himself. Ms. Singh will prepare an Order for the council member's signatures. The hearing concluded at 3:39 p.m.

#### **Donald Cardona**

At 3:30 p.m., Mr. Cardona was present for his hearing. The Council's Exhibit 1 was marked as evidence. The council members introduced themselves for the record. Mr. Cardona answered questions from the council and gave a closing statement. The council went off the record at 3:39 p.m. to hold its deliberations. The council went back on the record at 3:44 p.m. Mr. Blackson moved, seconded by Ms. Bernard, that this matter was unjustified noncompliance of the rules and regulations, and issued Mr. Cardona a letter of reprimand along with a \$250 monetary penalty and to accept the 7 hours of continuing education from the 10<sup>th</sup> Annual Respiratory Therapy Symposium and the 6 hours of continuing education from the Concepts in Respiratory Critical Care course to make up the deficiency. It was noted that Mr. Cardona would be automatically selected for the next post-renewal audit and can not re-use the 13 makeup hours. Motion carried with Ms. Thompson recusing herself. Ms. Singh will prepare an Order for the council member's signatures. The hearing concluded at 3:46 p.m.

#### **Kelli Williams**

At 3:47 p.m., Ms. Williams was present for her hearing. The Council's Exhibit 1 was marked as evidence. The council members introduced themselves for the record. Ms. Williams answered questions from the council and gave a closing statement. The council went off the record at 3:57 p.m. to hold its deliberations. The council went back on the record at 4:06 p.m. Mr. Brown moved, seconded by Ms. Cipolla, that this matter was unjustified noncompliance of the rules and regulations, and issued Ms. Williams a letter of reprimand along with a \$250 monetary penalty, 30 days to complete the 10 hours of traditional education hours. If Ms. Williams fails to comply within 30 days, discipline will result in revocation of her license. It was noted that Ms. Williams would be automatically selected for the next post-renewal audit and can not re-use the 10 makeup hours. Motion unanimously carried. Ms. Singh will prepare an Order for the council member's signatures. The hearing concluded at 4:07 p.m.

#### **Dawn Smith**

At 4:09 p.m., Ms. Smith was not present for her hearing. The Council's Exhibit 1 was marked as evidence. It was noted that the council reviewed and considered the faxed documentation submitted on July 9, 2013, from Ms. Smith requesting a continuance. According to the legal advice provided by Ms. Singh, the council decided that they would go forth with the scheduled hearing as Ms. Smith received the notice of the hearing on June 14, 2013. The council members introduced themselves for the record. Verbatim testimony was taken by the court reporter. Witness, Ms. Williams, was sworn in and answered questions from Ms. Singh and the council members. The council went off the record at 4:18 p.m. to hold its deliberations. The council went back on the record at 4:26 p.m. Mr. Blackson moved, seconded by Dr. Parise that this matter was unjustified noncompliance of the rules and regulations, and issued Ms. Smith a letter of reprimand along with a \$250 monetary penalty and the required 20 hours of continuing education hours and an explanation as to why she was unable to comply, discipline will include a minimum suspension of three months and if licensee is still noncompliant at the end of her suspension, discipline will result in revocation of his license. Motion passed unanimously. Ms. Singh will prepare an Order for the council member's signatures. The hearing concluded at 4:27p.m.

#### Patricia Cannon

At 4:41 p.m., Ms. Cannon was not present for her hearing. The Council's Exhibit 1 was marked as evidence. The council members introduced themselves for the record. Verbatim testimony was taken by the court reporter. Witness, Ms. Williams, was sworn in and answered questions from Ms. Singh and the council members. The council went off the record at 4:44 p.m. to hold its deliberations. The council went back on the record at 4:46 p.m. Mr. Blackson moved, seconded by Brown that this matter was unjustified noncompliance of the rules and regulations, and issued Ms. Cannon a letter of reprimand along with a \$250 monetary penalty and the required 20 hours of continuing education hours and an explanation as to why she was unable to comply, discipline will include a minimum suspension of three months and if licensee is still noncompliant at the end of her suspension, discipline will result in revocation of his license. Motion passed unanimously. Ms. Singh will prepare an Order for the council member's signatures. The hearing concluded at 4:47p.m.

It was requested by the council, that the above recommendations be reviewed by the Board of Medical Licensure and Discipline during their next regularly scheduled board meeting.

#### Review Decisions and Orders Regarding Carlo Abello, Adeyinka Babatunde and Joel Campbell Imposing Discipline

The council reviewed the Decisions and Orders regarding Carlo Abello, Adeyinka Babatunde and Joel Campbell. Ms. Bernard moved, seconded by Mr. Blackson to accept the Orders. Orders were circulated for council members' signatures and will be presented to the Board.

#### Senate Bill 88 – Limited Purpose of Interstate Transport (Passed By House of Representatives on July 1, 2013)

Ms. Singh advised the Committee that Senate Bill 88 has been passed by the House of Representatives and is awaiting the Governor's signature.

#### **NEW BUSINESS**

#### Discussion on Approval of Temporary Licenses Reviewed by Past and Current Officers of the Council and How to Handle any Conflicts – Ms. Thompson

Ms. Thompson inquired as to how the council should handle conflicts regarding the approval of temporary licenses when a potential conflict occurs. Ms. Singh advised the council that a member should recuse themselves from any applicant, if they feel as though they are biased, would have any financial gain, or would influence the decisions of other members, if they know the individual, whether it be through employment, education, or personal matters.

#### Review Applications for Licensure as a Respiratory Care Practitioner

Mr. Brown moved, seconded by Dr. Parise to add the following applicants to the amended agenda for review, Terri Mathis, Kenzie Matthews, and Heather Thomas. Motion passed unanimously.

Dr. Parise moved, seconded by Mr. Brown, to recommend that the following applicants be approved for licensure as respiratory care practitioners for ratification by the Board of Medical Licensure and Discipline. Motion passed with Mr. Brown abstaining from the applications of Ms. Gray, Mr. Hitchens and Ms. Thomas; Mr. Blackson abstaining from the applications of Ms. Gray, Ms. Thomas, and Mr. Heaney; and Ms. Thompson abstaining from the applications of Ms. Adili-Khams, Ms. Diego, Ms. Foraker, Ms. Holt, Ms. Mathis, Ms. Rosebrock and Mr. Traster.

Dawn Adili-Khams  
Brittany Ganong  
Kyle Hitchens  
Brittney Rosebrock

Jennifer Diego  
Elizabeth Gray  
Elizabeth Holt  
Heather Thomas

Jennifer Foraker  
Thomas Heaney  
Terri Mathis  
Michael Traster

Mr. Blackson moved, seconded by Dr. Parise, to approve Kenzie Matthews' application contingent upon clarification of Question 22. Motion carried with Ms. Thompson abstaining.

#### OTHER BUSINESS BEFORE THE COUNCIL

There was no other business.

#### PUBLIC COMMENT

There was no public comment.

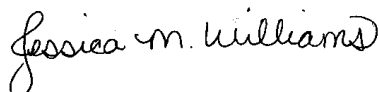
#### NEXT SCHEDULED MEETING

The next scheduled meeting will be held on Wednesday, September 11, 2013 at 3:00 p.m. in the Second Floor Conference Room, Cannon Building, 861 Silver Lake Boulevard in Dover.

#### ADJOURNMENT

Dr. Parise moved, seconded by Mr. Brown, to adjourn. Motion passed unanimously. The meeting adjourned at 4:53 p.m.

Respectfully submitted,



Jessica M. Williams  
Administrative Specialist II